

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF MASSACHUSETTS

CLEAR CHANNEL OUTDOOR, INC. and
LAMAR CENTRAL OUTDOOR, INC.,

Plaintiffs

CCC ASSOCIATES LTP PARTNERSHIP,

Plaintiff-Intevenor

v.

PAUL PIETAL, WILLIAM T. HAYWARD, JR. and
DAVID VEATOR, in their official capacities as
Members, MASSACHUSETTS OUTDOOR
ADVERTISING BOARD,

Defendants

CIVIL ACTION NO. 04-CV-10616-JLT

MOTION FOR DISPOSITION CONSISTENT WITH SETTLEMENT AGREEMENT

The parties have entered into the Settlement Agreement attached as Exhibit A. In order for this case to be resolved consistent with the Settlement Agreement, the parties jointly move as follows:

1. The dismissal without prejudice entered August 12, 2004 be vacated;
2. Further proceedings be stayed for ninety (90) days pending promulgation of the regulations described in the Settlement Agreement;
3. Upon said regulations becoming final as described in paragraph 2 of the Settlement Agreement, the parties shall so inform the Court and the action shall be dismissed as moot.

For the Plaintiffs and Plaintiff-Intervenor,
Clear Channel Outdoor, Inc. and Lamar
Central Outdoor, Inc.,

CCC Associates LTP Partnership,

By their attorneys,



George A. Berman, BBO#040200
Marjunette deMagistris, BBO# 648133
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1155 Connecticut Avenue, N.W., 6th floor
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Defendants,
Paul Pietal, William T Hayward, Jr. and David
Veator, in their official capacity as Members of
the Outdoor Advertising Board,

By their attorney,

Thomas F. Reilly, Attorney General



Juliana deHaan Rice, BBO# 564918
THE COMMONWEALTH
OF MASSACHUSETTS
Office of the Attorney General
One Ashburton Place
Boston, MA 02108
(617) 727.2200

CERTIFICATE OF SERVICE

I, Marjunette deMagistris, hereby certify that on this ²³~~17~~th day of August, 2004, I caused a copy of the within Motion to be served via e-mail and facsimile, on:

Juliana de Haan Rice, Esq.
Assistant Attorney General
Government Bureau
One Ashburton Place, Room 2019
Boston, MA 02108-1698



Marjunette deMagistris

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EXHIBIT A

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

NO. 04-CV-10616-JLT

CLEAR CHANNEL OUTDOOR, INC., and
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and DAVID VEATOR, in their official capacities as
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ADVERTISING BOARD,

Defendants.

SETTLEMENT AGREEMENT

This agreement is made and entered into between the plaintiffs, Clear Channel Outdoor, Inc., and Lamar Central Outdoor, Inc., the plaintiff-intervenor CCC Associates LTP Partnership (collectively, "Plaintiffs") and the defendants, Paul Pietal, William T. Hayward, Jr., and David Veator, in their official capacities as members of the Massachusetts Outdoor Advertising Board (collectively, the "Board"). The plaintiffs and the Board agree to the following:

1. The Board shall, within ten days after execution of this Settlement Agreement, promulgate an Emergency Regulation through its Executive Director that (i) repeals 711 C.M.R. 3.03(1)(a), 3.03(2)(a), and 3.03(2)(b); and (ii) amends 711 C.M.R. 3.03 to reinstate without change the provisions of 711 C.M.R. 3.03(1)(a), 3.03(2)(a), and 3.03(2)(b) that became effective on December 27, 1996, and were in effect on and before January 30, 2003.


2. The Board shall take such further action as may be required by the laws of Massachusetts to make the provisions of the Emergency Regulation adopted pursuant to paragraph 1 as a final regulation.

3. Within ten days after the amendment of 711 C.M. R. 3.03 as required by paragraph 2, the parties shall execute, and plaintiffs shall file with this Court, the Stipulation of Dismissal that is attached hereto as Exhibit A.

4. This Settlement Agreement and the attached Exhibit A represents the entire agreement between the plaintiffs and the Board concerning the above-captioned litigation.

For the Plaintiffs and Plaintiff-Intervenor,


Defendants,

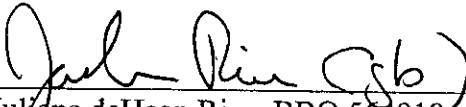

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PAUL PIETAL, WILLIAM T. HAYWARD,
Jr., and DAVID VEATOR, in their official
capacities as Members,
MASSACHUSETTS OUTDOOR
ADVERTISING BOARD,
By their attorney,

THOMAS F. REILLY
ATTORNEY GENERAL

Dated: August 16, 2004


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Juliana deHaan Rice, BBO 564918
Assistant Attorney General
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(617) 727-2200, ext. 2062

Dated: August 16, 2004

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STIPULATION OF DISMISSAL

In accordance with Fed. R. Civ. P. 41(a)(1)(ii), the parties stipulate to the dismissal of
this action as moot.

For the Plaintiffs and Plaintiff-Intervenor,



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